

III. REMARKS

This amendment is being submitted in response to the final Office Action mailed on August 4, 2005. In this Office Action, claims 20-40 of the above-referenced application are pending and claims 20-40 stand as rejected by the Patent Office. In response to this Office Action, claims 21, 23-24, 27, 32, and 39 have been canceled. As discussed in greater detail below, the rejection of the remaining claims is respectfully traversed by the Applicant.

Claim Objections

The Patent Office's objection to claims 21, 23-24, 27, 32, and 39 (page 2 of the Office Action) are rendered moot by the cancellation of claims 21, 23-24, 27, 32, and 39 making further discussion of these claim objections unnecessary.

35 U.S.C. § 102(b)

On page 3 of the Office Action of August 4, 2005, the Patent Office indicated that claims 20-22, 24, 26-29, 31-34, 36, and 38-40 are rejected under 35 U.S.C. § 102(b) being anticipated by WO 99/18837. Claims 21, 24, 27, 32, and 39 have been canceled, rendering moot any further discussion thereof under 35 U.S.C. § 102(b). Regarding the remaining claims, the Applicant respectfully traverses the Patent's Office rejection of these claims, and asserts that WO 99/18837 does not teach "at least two baffles attached to or formed integrally with the downward facing side of the filter." The structures relied upon by the Patent Office in WO 99/18837 are not baffles (24) such as those claimed by the Applicant in independent claims 20 and 34 and clearly shown in FIG. 2B of the present application. The baffles claimed by the Applicant are separate structures that are attached to the downward facing side of the filter. These baffles may be "attached to" the filter or they may be "formed integrally with" the filter by casting or molding the entire device as a single piece. Regardless, the baffles are structurally distinct from the filter itself. The structures in WO 99/18837 that are relied upon by the Patent Office are actually the cross-members of the filter unit (see FIG. 3 on page 3 of the Office Action) and are clearly not baffles such as those taught and claimed by the Applicant. Thus, WO 99/18837 does not anticipate the claimed invention. The Applicant asserts that the rejection under 35 U.S.C. § 102(b) of claims 20, 22, 26, 28, 29, 31, 33, 34, 36, 38, and 40 is inappropriate, and respectfully requests that the rejection of these claims be withdrawn.

35 U.S.C. § 103(a)

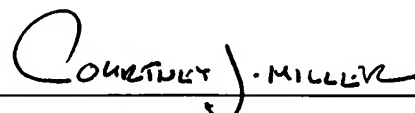
On pages 4-5 of the Office Action, the Patent Office indicated that claims 23, 25, 30, 35, and 37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 99/18837 in view of DE 20102840 U1 and U.S. Pat. No. 2,133,805. The Applicant respectfully traverses these claim rejections, as well. As argued above, WO 99/18837 does not teach at least "two baffles attached to or formed integrally with the downward facing side of the filter." Thus, this reference does not, either alone or in combination with the other cited references, teach nor suggest all of the claim limitations as required by MPEP 2142 for a finding of obviousness. As previously argued., claims 20 and 34 are believed to be patentable over the cited art, and because claims 23, 25, 30, 35, and 37 depend from either claim 20 or 34, these dependent claims are also believed to be patentable. Therefore, WO 99/18837 does not, in combination with DE 20102840 U1 and U.S. Pat. No. 2,133,805, render the rejected claims obvious, and the Applicant respectfully requests that the rejection of claims 23, 25, 30, 35, and 37 be withdrawn.

Conclusion

For the reasons set forth herein, this application is believed to be in condition for allowance as the claims are believed to define patentably over the cited references. Favorable consideration of this application is respectfully requested.

Respectfully submitted,

Date: October 28, 2005



Courtney J. Miller
Attorney for Applicant / Reg. No. 45,366
614-621-7015 / 614-621-0010 (fax)